
Appeal Decision

Site visit made on 25 November 2020

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07/01/2021

Appeal Ref: APP/P5870/D/20/3253418

16 Cecil Road, Cheam, SM1 2DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Robert Hayes against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/02150, dated 24 December 2019, was refused by notice dated 3 March 2020.
 - The development proposed is described as "*loft extension with part-one & part two-storey rear extension with internal alterations to 16 Cecil Road SM1 2DL and to include the erection of a garden shed at the same address.*"
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a part one, part two-storey rear extension, conversion of loft space involving alterations to existing roofline, a dormer extension at rear, a window to flank roof slope and rooflights to front roof slope; and erection of a detached single storey outbuilding at 16 Cecil Road, Cheam, SM1 2DL in accordance with the terms of the application, Ref DM2019/02150, dated 24 December 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos DH18/956/Site Location Rev A, DH18/956/01 Rev A, DH18/956/02 Rev A, DH18/956/03 Rev A, DH18/956/04 Rev A, DH18/956/05 Rev A, DH18/956/06 Rev A, DH18/956/07 Rev A, DH18/956/08 Rev A, DH18/956/09 Rev A, DH18/956/10 Rev A, and DH18/956/11 Rev A.
 - 3) The roof area of the single-storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, other than those expressly authorised by this permission, shall be constructed at

first floor level on the side elevations of the two-storey rear extension hereby permitted.

Procedural Matter

2. The description of the development given in my formal decision reflects the description that was given on the decision notice and which was repeated on the appeal form. This better reflects the nature of the proposal compared with that which was given on the application form and which I have used in the banner heading above.

Main Issue

3. Having regard to the reason for the refusal on the decision notice and the reasoning that is set out in the Council's officer's report, it is evident that the Council has no objection to the proposed outbuilding, which would replace an existing structure, or to the part one and part two-storey extensions to the rear of the dwelling. I have no reason to disagree. The main issue therefore is the effect of the proposed roof extension on the character and appearance of the existing dwelling and the Landseer Road Conservation Area.

Reasons

4. The appeal property is a two-storey, semi-detached Edwardian dwelling set within the Landseer Road Conservation Area (CA). It is typical of the style of buildings of that era within the CA with a two-storey large bay window and a protruding gabled roof over with plain clay tiles. Although the properties along Cecil Road mostly date from the same period, there are noticeable differences in detailing between the buildings such that there is cohesion but no specific uniformity to the appearance of the architecture along the street scene. No 16 is further distinguished as being one half of an asymmetrical semi-detached pair, with its attached neighbour displaying double gabled bay windows to the front and roof alterations, including dormer windows to the front and side. I saw for myself a noticeable variety in roof configurations to the properties along Cecil Road including gables, hip ends, and specifically barn hips at Nos 13 and 15, opposite the appeal site.
5. The proposal would include raising the flank wall of No 16 to create a barn-hipped roof in place of the full hip, incorporating a hipped roof projection to the rear and a dormer window. The Council has explicitly expressed concern about the removal of the hipped roof. They consider that this would result in a loss of symmetry to the building and that the roof extension would have a detrimental visual impact on the appearance of the street scene, appearing at odds with other properties on the eastern side of Cecil Road.
6. I recognise that the modified roof to the side of No 16 would not match the original hipped roof to the side of the attached house at No 14. However, the existing building is already unbalanced by the neighbour's side dormer. More significantly, the roofscape of the building is incapable of being seen as a whole within the vistas along Cecil Road due in part to the angles of sight that are available from the public domain up to roof level, disrupted visibility from the trees lining the pavements, and the tight spacing between No 16 and the unattached neighbour to the other side at No 18. These factors also mean that the modifications to the side of the appeal property would be barely noticeable,

screened in one direction by the dominance of the front gable, and in the other by the narrow gap with No 18. In addition to this, the roof form that is proposed would not be out of keeping but would mirror the style of the dwellings opposite. As such I find no conflict with the Council's *Supplementary Planning Document Design of Residential Extensions* (SPD4) where it deals specifically with this matter at paragraph A.5.7.

7. The roof to the rear would be noticeably reconfigured but would be enclosed and out of sight from the street. I have not been directed by the Council to any concern with this part of the proposal or to any specific conflict with SPD4 in this regard.
8. I understand that changes to the profile of an existing roof can sometimes unbalance a building in a negative way or close important gaps between neighbouring buildings. However, for the reasons given, I am satisfied in this instance that the works to the side of No 16 would not result in any visual harm to the appearance of the building or to the wider street scene. It follows that there would be no affect upon the character or appearance of the Landseer Road Conservation Area; the significance of which as a heritage asset would be unaffected. As such, there would be no conflict with Sutton Local Plan 2016-2031 Policy 28: *Character and Design* or Policy 30: *Heritage* which, between them, require development to respect the area's local character and appearance, and to conserve the borough's historic environment.

Conditions

9. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to control the external materials that are proposed to be used.
10. The Council has suggested a condition restricting the use of the flat roof to the single-storey extension. I agree that this is necessary in order to safeguard the privacy of neighbouring occupiers. I have simplified the wording of the condition to simply prohibit the use of this space. For the same reasons I agree that it is necessary to restrict any further windows or openings at first floor level to the side elevations of the rear extensions. I have altered the wording of the proposed condition for precision and clarity.

Conclusion

11. For the reasons given, I find that there would be no harm to the character or appearance of the existing dwelling or the Landseer Road Conservation Area. Accordingly, in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR